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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SON, LINH L D

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 07/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,899

Applicant(s)

KARLSSON, SVEN OLOF

Examiner

Linh LD Son

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Regarding claim 22-34, the "the instructions comprising: receiving the signature" phrase renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The examiner is not clear how the instructions would be receiving the signature. Appropriate correction is necessary.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1,7-14, 16-23, 28-36, 38, and 43-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Smithies et al, hereinafter "Smithies", (US/5544255).
7. As per claim 1, Smithies discloses the "Method and System for the Capture, Storage, Transport and Authentication of Handwritten Signatures" invention, which includes a method of analyzing a signature, comprising: receiving the signature (Col 16 lines 4-38); building a signature model based on the signature (Col 15 lines 42-63); checking a uniqueness of at least one of the signature and the signature model; and delivering a signal which indicates the uniqueness of the signature model (Col 16 lines 4-38).
8. As per claims 2, 23, and 35, Smithies discloses the method of claims 1, 22, and 35, wherein receiving the signature further comprises receiving at least one pair of coordinates which constitutes a description of the signature (Col 21 lines 5-42).

9. As per claims 7, 28, and 43, Smithies discloses the method of claims 1, 22, and 35, wherein building a signature model further comprises building the signature model from a plurality of user signatures (Col 15 lines 42-63).
10. As per claims 8, 29, and 44, Smithies discloses the method of claims 1, 22, and 35, wherein checking a uniqueness further comprises checking at least one parameter of the signature (Col 9 lines 4-19).
11. As per claim 9, Smithies discloses the method of claim 8, wherein the parameter is a length of the signature (Col 16 lines 8-10, and Col 13 line 8).
12. As per claim 10, Smithies discloses the method of claim 8, wherein the parameter is a slope of letters of the signature (Col 16 lines 8-10, and Col 13 line 33).
13. As per claim 11, Smithies discloses the method of claim 8, wherein the parameter is a number of bends of the signature (Col 16 lines 8-10, Col 13 line 33, and Col 4 line 27).
14. As per claim 12, Smithies discloses the method of claim 8, wherein the parameter is a height/length ratio of the signature (Col 16 lines 8-10, and Col 13 line 32).

15. As per claim 13, Smithies discloses the method of claim 8, wherein the parameter is a derivative of a movement of the signature (Col 16 lines 8-10, and Col 13 line 35).
16. As per claim 14, Smithies discloses the method of claim 8, wherein the parameter is a size of the signature (Col 16 lines 8-10, Col 13 lines 5-35, and Col 4 line 28).
17. As per claim 16, Smithies discloses the method of claim 8, further comprising comparing the parameter to a predetermined uniqueness limit (Col 9 lines 5-29).
18. As per claims 17, 30, and 45, Smithies discloses the method of claims 1, 22, and 35, wherein checking a uniqueness further comprises checking the signature against a database of existing signature models (Col 19 line 55 to Col 20 line 7).
19. As per claims 18, 31, and 46, Smithies discloses the method of claims 1, 22, and 35, wherein delivering a signal which indicates the uniqueness of the signature model further comprises delivering a signal indicative of whether the signature is below a uniqueness limit (Col 9 lines 5-29 and Col 16 lines 5-38).

20. As per claims 19, 32, and 47, Smithies discloses the method of claims 1, 22, and 35, wherein delivering a signal which indicates the uniqueness of the signature model further comprises delivering a signal indicative of whether the signature is above a uniqueness limit (Col 9 lines 5-29 and Col 16 lines 5-38).
21. As per claims 20, 33, and 48, Smithies discloses the method of claim 1, wherein delivering a signal which indicates the uniqueness of the signature model further comprises delivering a signal indicative of how much the signature deviates from a uniqueness limit (Col 9 lines 5-29 and Col 16 lines 5-38).
22. As per claims 21, 34, and 49, Smithies discloses the method of claim 1, wherein delivering a signal which indicates the uniqueness of the signature model further comprises delivering a signal indicative of what to change about the signature in order to render the signature unique (Col 15 lines 38-63).
23. As per claims 22 and 35, Claim 1 rejection basis is applied. Further Smithies teaches a computer-readable medium containing instructions for analyzing a signature in column 7 lines 47-67.
24. As per claim 38, Smithies discloses the system of claim 35, further comprising a base (Col 7 line 43) provided with a position coding pattern and wherein the user unit is further operative to calculate at least a pair of coordinates generated from

reading the coding pattern (Col 10 lines 39-42, Col 13 lines 5-35, and Col 21 lines 23-44).

Claim Rejections - 35 USC § 103

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 3-4, 6, 24, 25, 27, 37, 40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smithies.
27. As per claims 3, 24, and 37, Smithies discloses the method of claims 1, 22, and 35. However, Smithies does not specifically teach the receiving the signature further comprises receiving a train of polygons, which constitutes a description of the signature. Nevertheless, Smithies does teach the method of coordinating the signature by using the X and Y values, which use to derive many parameters (Col 21 lines 5-42 and Col 13 lines 5-35). Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to understand that the train of polygons coordinates are implicitly taught.

- 28.** As per claims 4, 25, and 40, Smithies discloses the method of claims 2, 23, and 36. However, Smithies does not teach the receiving the signature further comprises receiving a time code with each respective pair of coordinates. Nevertheless, Smithies does teach the event time skew parameter (Col 13 line 28 and lines 29-35), and the coordinate of the signature (Col 21 lines 23-43). Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to know that the time code with each respective pair of coordinates does explicitly teach in the invention.
- 29.** As per claims 6, 27, and 42, Smithies discloses the method of claims 1, 22, and 35. However, Smithies does not directly teach the building a signature model further comprises classifying the signature. Nevertheless, Smithies does teach of many measurement parameters from the obtained signature (Col 13 lines 4-35). Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to use the data to classify the signature base on a certain parameter. Smithies explicitly teaches the classification capability clearly.
- 30.** Claims 5, 15, 26, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smithies in view of Zank et al (US/6307955B1).
- 31.** As per claims 5, 15, 26, and 41, Smithies discloses the method of claims 2, 8, 23, and 36. However, Smithies does not teach of receiving the signature further

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comprises receiving a pressure value with each respective pair of coordinates.

Nevertheless, Zank et al does teach the pressure value with each pair of coordinates of the signature (Col 5 line 63 to Col 6 line 8) in the "Electronic Signature Management System" invention. Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to combine the feature into Smithies invention to analyze the signature in more detail.

32. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smithies in view of Stalcup et al (US/6741743B2).
33. As per claim 39, Smithies discloses the system of claim 35. However, Smithies does not teach the user unit further comprises and optical sensor and image processor for receiving and processing the signature. Nevertheless, Stalcup et al discloses the "Image Document Optical Correlation and Conversion System" invention, which disclose a method of image processing and Optically recognize characters, such as signatures (Col 2 lines 1-12). Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to combine Smithies with Stalcup et al teaching to compare the signature more accurately not only using the calculated parameters, but with optical character recognition capability.

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Conclusion

34. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (703)-305-8914 or Fax to 703-746-9821.
35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (703)-305-4393. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703)-305-9600.

Linh LD Son

Patent Examiner

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AU 2135